**PATENT** 

## **Amendments to the Claims:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

## **Listing of Claims:**

1. (Currently Amended) A method for detecting delayed Radio Link Protocol frames, and preventing the transmission of unnecessary Negative Acknowledgement messages and data frame retransmissions, comprising the steps of:

buffering an unsequentially received Radio Link Protocol frame <u>received on a first</u> <u>channel; and</u>

withholding the transmission of a Negative Acknowledgement message for a delayed Radio Link Protocol frame until the delayed Radio Link Protocol frame has been missing longer than a predefined time period[.]; and

monitoring the first channel and a second channel for the delayed Radio Link Protocol frame, wherein the first and second channel are code-multiplexed to allow concurrent transmission of frames.

- 2. (Original) The method of claim 1 further comprising the step of assigning a timer/counter to the buffered Radio Link Protocol frame for determining the necessity of transmitting a Negative Acknowledgement message for an unreceived Radio Link Protocol frame.
- 3. (Original) The method of claim 1 further comprising the steps of: buffering a Negative Acknowledgement message for an unreceived Radio Link Protocol frame; and

assigning a timer/counter to the buffered Negative Acknowledgement message to prevent unnecessary transmission of the Negative Acknowledgement message if the unreceived Radio Link Protocol frame arrives before the expiration of a predefined time period.

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- 4. (Original) The method of claim 1 further comprising the step of delaying updating the expected sequence number until a delayed Radio Link Protocol frame has been received.
- 5. (Currently Amended) A wireless communications device configured to detect delayed Radio Link Protocol frames, and prevent the transmission of unnecessary Negative Acknowledgement messages and data frame retransmissions, comprising:

a processor; and

a storage medium coupled to the processor and containing a set of instructions executable by the processor to buffer an unsequentially received Radio Link Protocol frame received on a first channel; and

withhold the transmission of a Negative Acknowledgement message for a delayed Radio Link Protocol frame until the delayed Radio Link Protocol frame has been missing longer than a predefined time period[.]; and

monitoring the first channel and a second channel for the delayed Radio Link Protocol frame, wherein the first and second channel are code-multiplexed to allow concurrent transmission of frames.

- 6. (Original) The wireless communications device of claim 5, wherein: the set of instructions is further executable by the processor to assign a timer/counter to the buffered Radio Link Protocol frame to determine the necessity of transmitting a Negative Acknowledgement message for an unreceived Radio Link Protocol frame.
- 7. (Original) The wireless communications device of claim 5, wherein: the set of instructions is further executable by the processor to buffer a Negative Acknowledgement message for an unreceived Radio Link Protocol frame; and

assign a timer/counter to the buffered Negative Acknowledgement message to prevent unnecessary transmission of the Negative Acknowledgement message if the unreceived Radio Link Protocol frame arrives before the expiration of a predefined time period.

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- 8. (Original) The wireless communications device of claim 5, wherein: the set of instructions is further executable by the processor to delay updating the expected sequence number until a delayed Radio Link Protocol frame has been received.
  - 9. (Original) The wireless communications device of claim 5, wherein: the device is a base station transceiver.
  - 10. (Original) The wireless communications device of claim 5, wherein: the device is a mobile telephone.
  - 11. (Original) The wireless communications device of claim 5, wherein: the device is a data terminal.
- 12. (Currently Amended) A wireless apparatus for detecting delayed Radio Link Protocol frames, and preventing the transmission of unnecessary Negative Acknowledgement messages and data frame retransmissions, comprising:

means for buffering an unsequentially received Radio Link Protocol frame <u>received on a</u> first channel; and

means for withholding the transmission of a Negative Acknowledgement message for a delayed Radio Link Protocol frame until the delayed Radio Link Protocol frame has been missing longer than a predefined time period[.]; and

monitoring the first channel and a second channel for the delayed Radio Link Protocol frame, wherein the first and second channel are code-multiplexed to allow concurrent transmission of frames.

13. (Previously Presented) The wireless apparatus of claim 12 further comprising: means for assigning a timer/counter to the buffered Radio Link Protocol frame for determining the necessity of transmitting a Negative Acknowledgement message for an unreceived Radio Link Protocol frame.

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